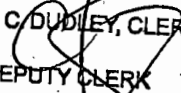


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

OCT 08 2020

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

TERRANCE ROBERT HENDERSON,	)	
	)	CASE NO. 7:19CV00258
Plaintiff,	)	
v.	)	ORDER
	)	
J. CLARK, <u>ET AL.</u> ,	)	By: Glen E. Conrad
	)	Senior United States District Judge
Defendants.	)	

This prisoner civil rights action filed under 42 U.S.C. § 1983 was referred to the United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1), for further proceedings, including a bench trial if necessary. No party has submitted timely objections to the magistrate judge's report and recommendation filed on September 16, 2020. Finding no clear error, it is hereby

**ADJUDGED AND ORDERED**

as follows:

1. The report and recommendation, ECF No. 60, is hereby **ADOPTED IN ITS ENTIRETY**;  
and
2. The defendants' motion for summary judgment, ECF No. 41, is **GRANTED IN PART AND DENIED IN PART**; the motion is **GRANTED** as to the claim that the defendants acted with deliberate indifference to hazardous living conditions, and the motion is **DENIED** as to all other claims. All remaining claims may proceed to a bench trial before the magistrate judge as previously ordered.

The clerk will send a copy of this order to plaintiff and to counsel of record for defendants.

ENTER: This 8th day of October, 2020.

  
\_\_\_\_\_  
Senior United States District Judge